

Stein Jack
1847 View Ridge Drive, South
Westport WA 98595
x

Affidavit of Publication

County of Pacific

ss

State of Washington

Kathleen L. Hall

being first duly sworn on oath deposes and says that she is the Office Manager of The Willapa Harbor Herald, a weekly newspaper, that said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the Superior Court of Pacific County, which is the county of its publications.

That the annexed is a true copy of:

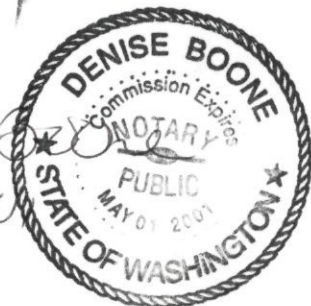
NOTICE OF APPLICATION TO APPROPRIATE PUBLIC WATERS

as it was published in regular issues (and not in supplement form) of said newspaper once a week for a period of 2 consecutive week(s), commencing on the day of 11/14/98, ending on the day of 11/21/98, both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said publications for the sum of \$32.5, which amount has been paid in full at the rate of \$6.50 per column inch for the first insertion and for the sum of \$27.5, at the rate of \$5.50 per column inch for each subsequent insertion and for the sum of \$60. The total column inch count per insertion is 5.

Reference #861

Subscribed and sworn to before me this

Notary Public in and for the
State of Washington
Residing at Raymond, Washington



Invoice # _____

NOTICE OF APPLICATION
TO APPROPRIATE PUBLIC
WATERS

TAKE NOTICE: That Jack and Kristen Stein of Westport, WA on June 24, 1998 under Application No. G2-29730 filed for permit to appropriate public waters, subject to existing rights, from unnamed stream (ditch) tributary to Willapa Harbor in the amount of 1 cubic foot per second as needed each year, for irrigation during the irrigation season and heat/frost protection. The source of the proposed appropriation is located within SW 1/4 SW 1/4, Section 20, Township 15 N., Range 11 W.W.M., in Pacific County.

Parcels 1 and 2, Tract 10 and 11, Ocean Cranberry Tracts

Protest or objections to approval of this application must include

a detailed statement of the basis for objections; protests must be accompanied by a two dollar (2.00) recording fee and filed with the Department of Ecology, P.O. Box 47775, Olympia, WA 98504-7775, within thirty (30) days from November 2 8618.

Publish : November 14 and 21, 1998 861

affo o/c
8/24/00
8



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

P.O. Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

July 6, 2000

CERTIFIED MAIL

Jack & Kristin Stein
1847 View Ridge Dr S
Westport WA 98595

Dear Mr. & Mrs. Stein:

RE: Water Right Application No. S2-29730

On **October 14, 1998**, we sent you a notice for publication.

To date, we have not received the original Affidavit of Publication for your application. If you have not yet published the notice in a newspaper of general circulation in the area of your application, please do so as soon as possible. After publication, the publishing newspaper should provide you with a notarized original Affidavit of Publication, which should be forwarded to our office. If you published the notice but have not mailed the Affidavit of Publication to this office; please do so as soon as possible.

Please remember to send the original Affidavit of Publication, not a photocopy.

If we do not hear from you within thirty (30) days from the date of this letter, we will assume you are no longer interested in your application and will reject it with no further notice.

If you have any questions or concerns about the public notice process, please call the Department of Ecology at (360) 407-0240.

Sincerely,

Sheri Carroll
Water Resources Program

SC:th (affreminder.doc)





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

P.O. Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

October 14, 1998

Jack & Kristin Stein
1547 View Ridge Dr S
Westport WA 98595

Dear Mr. & Mrs. Stein:

Re: Water Right Application No. S2-29730

We have received your application for appropriation of water and it has been assigned the number referenced above. If you contact us in the future regarding this application, it will help us serve you more quickly if you refer to this application number.

Please complete the following two steps:

1. Enclosed is a notice of your application, which must be published once a week for two consecutive weeks in a newspaper published in **Pacific County**. The newspaper should have general circulation in the locality where the water is to be diverted and used, and must be qualified as a legal newspaper. Publishing the notice in a remote part of the county, when not necessary, may be cause for you to be required to republish the notice in a designated newspaper. The enclosed newspaper list may help you select an appropriate newspaper for the area.

Publication should start within 30 days from the date of this letter.

To assure accuracy, it is your responsibility to check the notice carefully before having it published. If you find an error, please contact this office for correction and/or resolution. If we later find an error in your public notice, you will be required to re-publish an amended notice at your expense.

2. After publication, the publishing newspaper should provide you with a notarized original Affidavit of Publication, which should be forwarded to our office as soon as possible. Please do not send a photocopy of the affidavit.

If you have any questions or concerns about any of this information, please call (360) 407-0240. Thank you for your attention to this matter.

Sincerely,

Sheri Carroll
Water Resources Program

SC:th(publicnotice.doc)





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

NOTICE OF APPLICATION TO APPROPRIATE PUBLIC WATERS

TAKE NOTICE:

That Jack and Kristin Stein of Westport, Washington on June 24, 1998 under Application No. S2-29730 filed for permit to appropriate public waters, subject to existing rights, from unnamed stream (ditch) tributary to Willapa Harbor in the amount of 1 cubic foot per second as needed each year, for irrigation during the irrigation season and heat/frost protection. The source of the proposed appropriation is located within SW1/4 SW1/4, Section 20, Township 15 N., Range 11 W.W.M., in Pacific County.

Protests or objections to approval of this application must include a detailed statement of the basis for objections; protests must be accompanied by a two dollar (\$2.00) recording fee and filed with the Department of Ecology, at the address shown below, within thirty (30) days from: _____ (Last date of publication to be entered above by publisher)

* NOTICE MUST BE PUBLISHED ONCE A WEEK FOR TWO CONSECUTIVE WEEKS *

Department of Ecology
P.O. Box 47775
Olympia, WA 98504-7775



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (206) 407-6300

September 14, 1998

Dear Water Right Applicant:

Re: Water Right Application No. S2-29730

This letter is to acknowledge that the Washington State Department of Ecology received your water right application. We have assigned your application the number indicated above. Please include this number in future correspondence regarding your application with the Department of Ecology.

When we begin actively evaluating applications in your area, we will prepare a public notice and send it to you with publication instructions. It will be sometime before we are able to begin working in your area. In the meantime, please notify Ecology of changes such as address, property ownership, or variations in your proposed water use plans.

The availability of water in Washington state is a serious problem. Much of the water in our state has already been appropriated. The competition for water has escalated with our state's increasing population, conflicting water policy issues, and grave declines in salmon and other fish populations. A new watershed management law brings us a step closer to addressing some of these issues. It sets into motion a locally based process to address water quantity, quality, and habitat issues. Watershed management will help meet challenges for getting water to people, industries, farms, and fish.

In some areas of the state, we are continuing to evaluate applications within watersheds where we have previously gathered information and completed watershed assessments. We are also continuing to process water right permit or change applications that are intended to address public health and safety emergencies, the natural environment, or are for nonconsumptive withdrawals. All other applications are grouped by watershed and processed according to the date of submittal, and when we have enough information and staff resources to make decisions.

If you would like further information on your application, please contact the Southwest Regional Office at (360) 407-0240.

Sincerely,

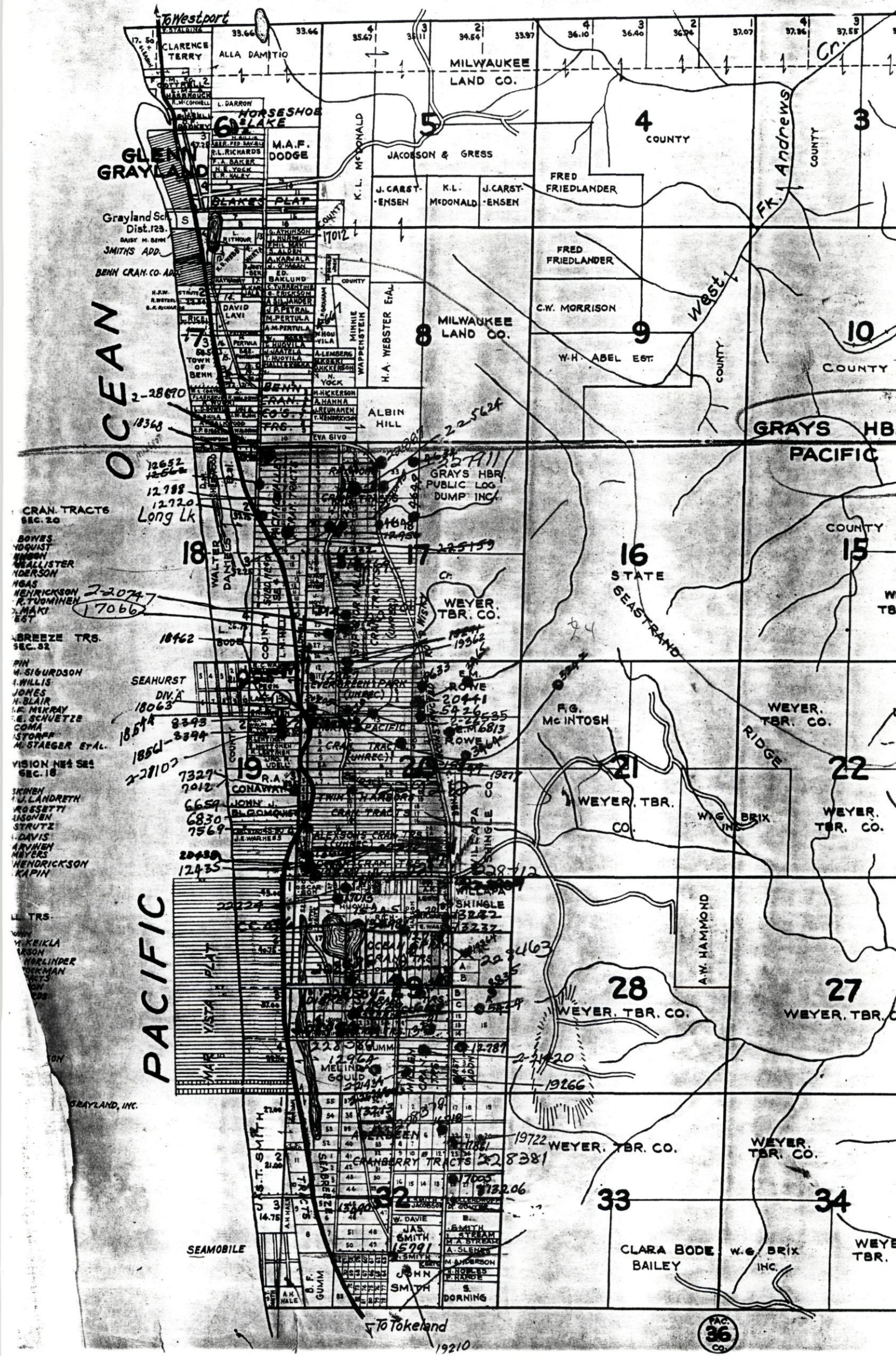
J. Mike Harris

J. Mike Harris
Water Resources Supervisor
Southwest Regional Office

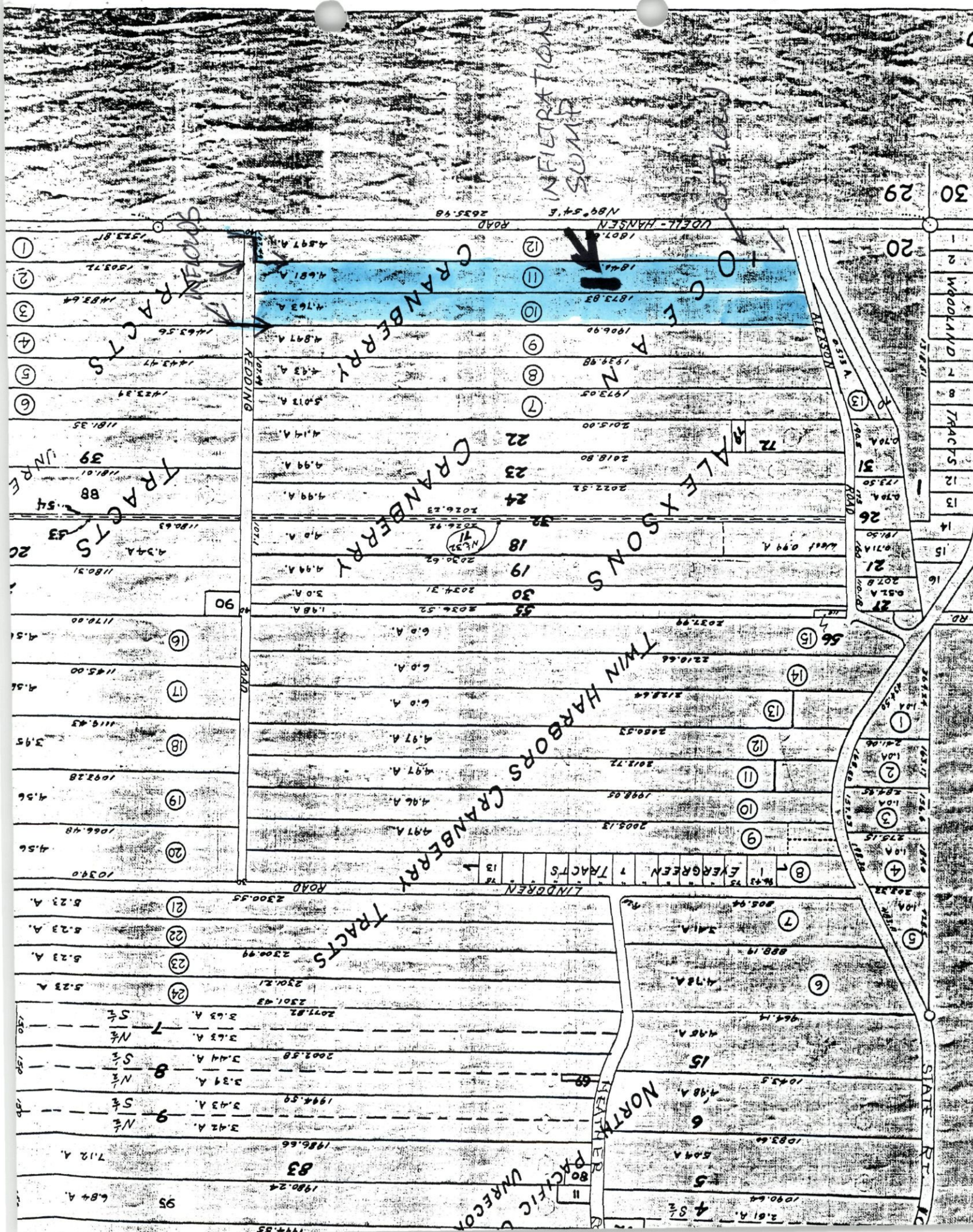
JMH:th

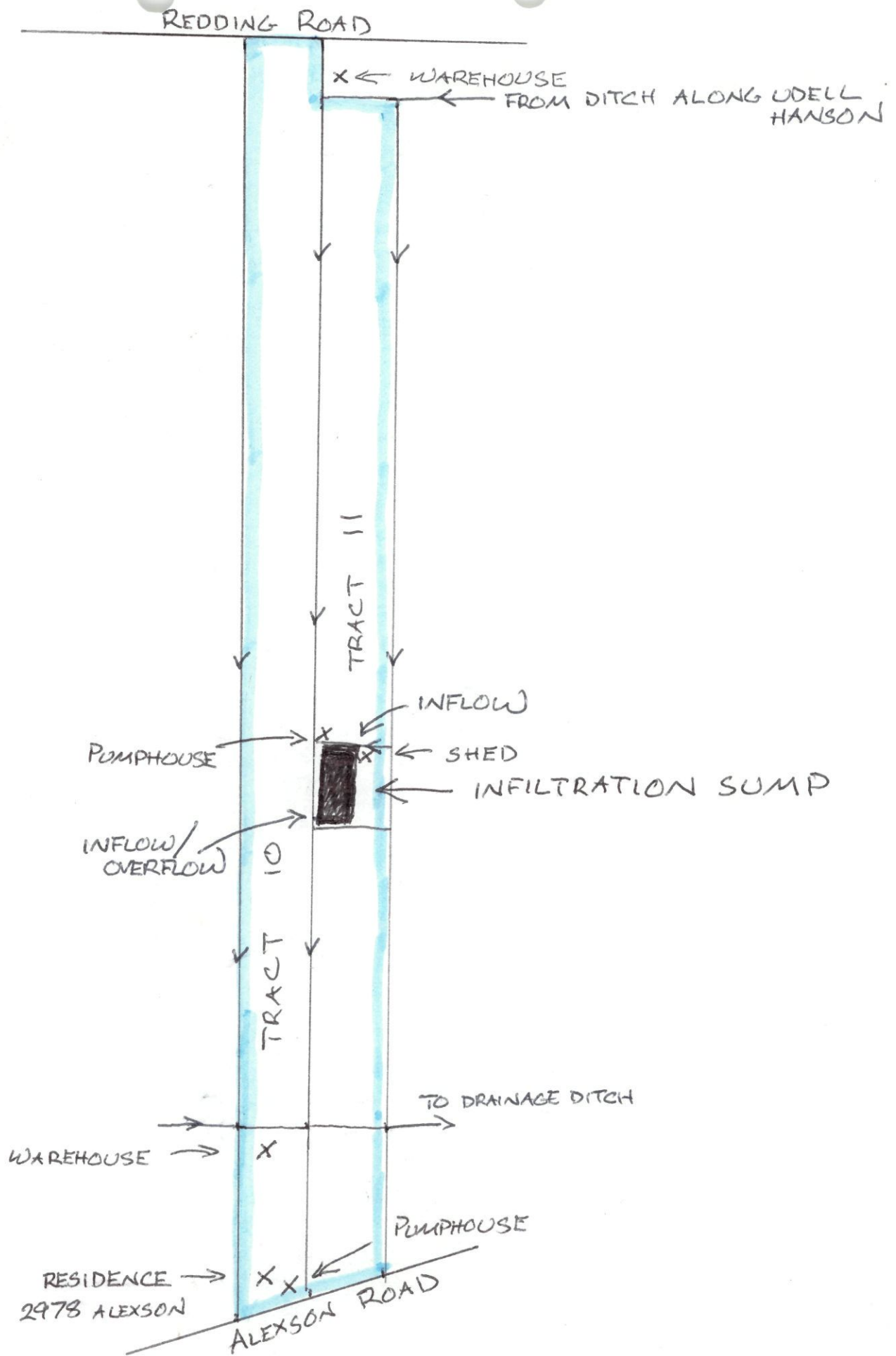


TOWNSHIP 15 N., RA
22 GRAYS HARBOR & F



SCD 1/4 of 20-15-11





EXISTING WATER RIGHTS (FYI)

Exceptions continued

EXHIBIT A

1. Liability for future assessments of Drainage District No. 1.
2. The covenant awarded Defendant appearing in Interlocutory Decree of Divorce entered on January 24, 1930 in Cause 7469, Otilde H. Hanson, Plaintiff vs. Nils H. Hansen, Defendant, as affecting the South half of the South half of the South half of Section 20, Township 15 North, Range 11 West of W.M., Pacific County, Washington, as follows: Subject to an easement which Court grants unto the Defendant, his heirs and assigns, of the right to use water from a certain spring thereon and for the laying of a pipe line thereover for the conveyance of water thereover.

NOTE A: A Certificate of surface water right was issued by the State of Washington to Robert Tuomen under instrument recorded in Volume 162 of Deeds at Page 449, to use water not in excess of 0.25 of a cubic foot per second for the purposes of heat and frost protection from waters of Drainage Ditch, District #1 with points of diversion within the SW 1/4 of SW 1/4 Section 20, Township 15 North, Range 11 West of W.M., Pacific County, Washington.
As to Parcel 1

NOTE B: Right to the waters of Drainage Ditch No. 1, not to exceed .74 cubic feet per second, 4 acre-feet per year, under State Certificate issued December 22, 1971, to Archie Eugene Hollingsworth, recorded under Recording No. 74560, Volume 242 at Page 478.
As to Parcel 1

NOTE C: Certificate of Ground Water Right issued to O.G. Lillegaard by State Supervisor of Water Resources, dated March 21, 1964, recorded March 23, 1964 in Volume 193 of Deeds at Page 13, of the right to use of ground waters of an infiltration sump located within South half of Southwest quarter of Section 20, Township 15 North, Range 11 West of W.M., Pacific County, Washington, for the purpose of frost protection and irrigation and shall not exceed 250 gallons per minute; 5 acre-feet per year for frost protection and the irrigation of 2 1/2 acres.
As to Parcel 2

NOTE D: Deed issued December 14, 1943 and recorded under Auditor's No. 34909 in Volume 128 of Deeds at Page 20 carried the provisions that parties of the second part are entitled to share in the water located on Tract 14 when the same is improved.
As to Parcel 1

END OF EXCEPTIONS

SCHEDULE A

Parcel 1

Tracts 10 and 11 of Ocean Cranberry Tracts, according to the plat thereof on file in the office of the Auditor of Pacific County, Washington, excepting from said Tract 11 the following described portion thereof, to-wit:

Beginning at the Northeast corner of said Tract 11;
thence along the North line of said Tract 11 West 1179.0 feet to a drainage ditch;
thence South along said drainage ditch to the South line of said Tract 11;
thence East along the South line of said Tract 11 to the Southeast corner thereof;
thence North along the East line of said Tract 11 a distance of 107.49 feet to the place of beginning.

Parcel 2

The East 1179 feet of Tract 11 of Ocean Cranberry Tracts, per recorded plat thereof in Volume F of Plats at Page 11, records of Pacific County, Washington, described as follows, to-wit:

Beginning at the Northeast corner of said Tract 11;
thence West along the North line of said Tract 1179.0 feet to a drainage ditch;
thence South along said drainage ditch to the South line of said Tract 11;
thence East along the South line of said tract to the Southeast corner thereof;
thence North along the East line of said Tract 11 a distance of 107.49 feet to the place of beginning.

EXCEPTING THEREFROM the East 98 feet of the South 65 feet of said Tract 11 conveyed to Robert G. Sherlock, but

TOGETHER WITH such portion of the Sherlock Tract lying within the right-of-way of the Railroad Track serving the cranberry bog situate in said Tract 11.

Parcel 3

The Southerly 15 feet of Tract 13 of Ocean Cranberry Tracts, according to the plat thereof on file in Volume F of Plats at Page 11, records of Pacific County, Washington.